

Message Text

SECRET

PAGE 01 SANTIA 05362 191854Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----099550 191855Z /41
O 191703Z JUL 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 9871

S E C R E T SANTIAGO 5362

STADIS//////////

EXDIS

FOR ARA, D, P AND L ONLY; FOR MCNEIL FROM LANDAU

E.O. 11652: GDS
TAGS: PGOV, SHUM, CI
SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION: RES-
TRICTED ARTICLES OF DECREE ESTABLISHING DINA

1. DECREE LAW 521 OF JUNE 14, 1974 ESTABLISHED THE NATIONAL INTELLIGENCE DIRECTORATE (DINA). THE DECREE WAS PUBLISHED IN THE "DIARIO OFICIAL" OF JUNE 18, 1974 BUT WITHOUT ARTICLES 9, 10 AND 11. INSTEAD, THERE WAS A TRANSITORY ARTICLE SAYING THAT THESE THREE ARTICLES WERE BEING PRINTED IN A RESTRICTED EDITION OF THE "DIARIO OFICIAL." THE THREE ARTICLES HAVE NEVER BEEN MADE PUBLIC IN CHILE. HOWEVER EMBASSY FILES CONTAIN WHAT APPEARS TO BE THEIR TEXT (TYPED) AND INDICATING A "DIARIO OFICIAL" DATE OF SEPTEMBER 26, 1974. THIS MAY HAVE BEEN THE DATE THAT THE RESTRICTED EDITION OF THE "DIARIO OFICIAL" CAME OUT.

2. THE SPANISH TEXT OF THE THREE ARTICLES FOLLOWS:

BEGIN QUOTE:
ARTICULO 9 - EL DIRECTOR DE INTELIGENCIA NACIONAL Y LOS
SECRET

SECRET

PAGE 02 SANTIA 05362 191854Z

JEFES DE SERVICIOS DE INTELIGENCIA DEPENDIENTES DE LAS INSTITUCIONES DE LA DEFENSA NACIONAL, PODRAN COORDINAR DIRECTAMENTE SUS ACTIVIDADES PARA EL CUMPLIMIENTO DE SUS MISIONES ESPACIFICAS. SIN PERJUICIO DE LOS ANTERIOR, Y CUANDO LO RECLAMARE LA NECESIDAD IMPERIOSA DE LA DEFENSA DEL REGIMEN INSTITUCIONAL DEL ESTADO, LA JUNTA DE GOBIERNO PODRA DISPNER LA PARTICIPACION O COORDINACION DE TODOS

LOS ORGANISMOS DE INTELIGENCIA ANTERIORMENTE MENCIONADOS,
EN FUNCIONES PROPIAS DE LA DIRECCION DE INTELIGENCIA
NACIONAL.

ARTICULO 10 - PARA EL EJERCICIO DE LAS FACULTADES DE
TRASLADO Y ARRESTO DE PERSONAS, QUE SE CONCEDEN POR LA
DECLARACION DEL ESTADO DE SITIO U OTRAS QUE PUEDAN
OTORGARSE EN LAS CIRCUNSTANCIAS DE EXCEPCION PREVISTAS EN
LA CONSTITUCION POLITICA, LA JUNTA DE GOBIERNO PODRA DIS-
PONER QUE LAS DILIGENCIAS DE ALLANAMIENTO Y APREHENSION, SI
FUEREN NECESARIAS, SEAN CUMPLIDAS ADEMAS POR LA DIRECCION
DE INTELIGENCIA NACIONAL.

ARTICULO 11 - LA DIRECCION DE INTELIGENCIA NACIONAL SERA LA
CONTINUADORA LEGAL DE LA COMISION DENOMINADA "DINA",
ORGANIZADA EN EL MES DE NOVIEMBRE DE 1973.
END QUOTE.

3. THE EMBASSY'S INFORMAL TRANSLATION OF THE THREE
ARTICLES FOLLOWS:

QUOTE:

ARTICLE 9. THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE
CHIEFS OF THE INTELLIGENCE SERVICES OF THE INSTITUTIONS
OF NATIONAL DEFENSE, WILL BE ABLE TO COORDINATE DIRECTLY
THEIR ACTIVITIES IN CARRYING OUT SPECIFIC MISSIONS. WITHOUT
SECRET

SECRET

PAGE 03 SANTIA 05362 191854Z

PREJUDICE TO THE FOREGOING, AND WHEN THE EXIGENCIES OF THE
INSTITUTIONAL REGIME SO REQUIRE, THE GOVERNING JUNTA WILL BE
ABLE TO DIRECT THE PARTICIPATION OR COORDINATION OF ALL THE
INTELLIGENCE ORGANIZATIONS PREVIOUSLY MENTIONED, IN ACTIVI-
TIES PERTAINING TO THE NATIONAL INTELLIGENCE DIRECTORATE.

ARTICLE 10. IN THE EXERCISE OF THE POWERS OF MOVEMENT AND
ARREST OF PERSONS THAT ARE GRANTED BY THE DECLARATION OF
THE STATE OF SIEGE OR OTHER POWERS THAT MAY BE GRANTED UNDER
CONDITIONS OF EXCEPTION FORESEEN IN THE CONSTITUTION, THE
GOVERNING JUNTA WILL BE ABLE TO ORDER THAT ACTIVITIES OF
SEARCH AND DETENTION, IF THEY MAY BE NECESSARY, SHALL BE
CARRIED OUT ALSO BY THE NATIONAL INTELLIGENCE DIRECTORATE.

ARTICLE 11. THE NATIONAL INTELLIGENCE DIRECTORATE WILL BE
THE LEGAL SUCCESSOR TO THE COMMISSION CALLED "DINA" ORGANIZED
IN NOVEMBER 1973.
END QUOTE.
LANDAU

SECRET

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ASSASSINATION
Control Number: n/a
Copy: SINGLE
Draft Date: 19 jul 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SANTIA05362
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780296-0896
Format: TEL
From: SANTIAGO
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780742/aaaabjnw.tel
Line Count: 112
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a6beb370-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: ONLY, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: ONLY, STADIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1955350
Secure: OPEN
Status: NATIVE
Subject: LETELIER/MOFFITT ASSASSINATION INVESTIGATION: RES- STRICTED ARTICLES OF DECREE ESTABLISHING DINA
TAGS: PGOV, SHUM, CI
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/a6beb370-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014